

Overview of the Landfill Audit Process

Authority and History

Section 289.91, Stats., authorizes the Department to conduct audits at any landfill. During the 1996 revision of the NR 500 series administrative codes, Section NR 506.19(2), Wis. Adm. Code, was created to specify a landfill audit process.

Purpose

The purpose of an audit is to assess compliance with approved plans, administrative codes, and statutes; and to evaluate the performance of monitoring and engineering systems. Audits are announced, scheduled inspections. They are intended to complement other routine Department reviews and inspections. Audits are primarily for assessments of site features and activities that require more time and information than is available during routine unannounced inspections. Compliance with design and construction requirements will be evaluated during construction inspections and construction documentation report reviews. Compliance with day to day operational requirements (such as blowing paper, daily cover, etc.) will be evaluated during routine unannounced inspections. The audit can be a good opportunity for both Department and landfill personnel to organize records, discuss issues, and review the design and operation of the landfill as a whole.

Audit Steps

A landfill audit consists of the following steps:

Landfill selection

Each year, regional Waste Management Program supervisors will select a few landfills to be audited. Landfills will be selected based upon input from staff and landfill operators, staff workload, elapsed time since the previous audit at each landfill, and compliance history. Every landfill will be audited eventually. However, landfills with compliance problems can expect earlier and more frequent audits.

Pre site inspection review by Department staff

Prior to the site inspection, Department staff will review Department files to ascertain:

- whether the landfill is submitting required information (monitoring data, compliance certifications),
- which conditions of approval are suitable for being checked during the audit,
- financial responsibility compliance, and
- the completeness of the Department's records (such as well information in GEMS – the monitoring database).

Notification

Section NR 506.19(2), Wis. Adm. Code, requires that the Department provide a minimum 30-day notice prior to performing an audit. The language in s. NR 506.19(2) implies that the materials prepared by landfill personnel will be presented to Department staff at the beginning of the site inspection and available for Department staff to take with them. However, during the initial audits performed by the Department, staff found 30 days was insufficient time for landfill personnel to prepare the documents requested and that reviewing this material during the site inspection was an inefficient use of time for both Department and landfill personnel. Therefore, Department staff will usually send out the audit notification letter at least 90 days prior to the site inspection and provide landfill personnel at least 60 days to prepare materials. Department staff may request that these materials be submitted at least 30 days prior to the site inspection, to give them adequate time to review the information and prepare follow-up questions.

The notification letter will specify the following:

- the materials that landfill personnel are to prepare and submit prior to the site inspection,
- the landfill(s) to be audited (if more than one exist at a complex),
- the dates of the site inspection, and
- the materials which should be available for inspection at the landfill.

The notification letter will also include a preliminary audit checklist which specifies what items will be checked during the site inspection.

Department will usually contact landfill personnel to schedule the site visit, prior to sending the notification letter. Section NR 506.19(2), Wis. Adm. Code, specifies what information the Department may request landfill personnel prepare. Normally this will include the items specified in s. NR 506.19(2)(a-j) and additional information that may be helpful in determining a landfill's compliance with codes and approvals.

DNR Staff Review Materials Submitted by Landfill Personnel

Department staff will review materials submitted by landfill personnel and complete the applicable portions of the checklist

Site inspection

During the site inspection Department staff will usually:

- present any questions on the previously submitted material;
- examine records, such as random load inspection reports and monitoring records, that are not routinely submitted to the Department but are required by code or plan to be available for inspection;
- perform a detailed inspection of the facility; and
- discuss preliminary findings or outstanding issues to get feedback from landfill personnel.

Section NR 506.19(2), Wis. Adm. Code, specifies the landfill operator's responsibilities during the site inspection. These include providing:

- adequate office space for Department staff,
- personnel that can answer questions about the landfill,
- presentation of information, if requested by the Department,
- access to records, and
- access to areas of the landfill related to landfill performance or compliance with approved plans, code, or statute.

From the experience of the previous audits, it has worked most efficiently when Department staff have time alone to review on-site records, with landfill personnel available periodically for questions. Department staff will make every effort to accommodate the schedule of landfill personnel. However, some flexibility is required to account for uncertainty in the time required to perform the review and weather conditions. The site inspection portion of the audit will normally take two days.

Close-out letter

After the site inspection, Department staff will finalize the checklist and include it in a close-out letter to the landfill. The close-out letter will highlight the major findings of the audit such as:

- positive aspects of landfill operation;
- aspects that appear to be not in compliance with code, approval conditions, or good engineering practices;
- feedback from landfill personnel; and
- requests for actions or information, or an explanation of impending Department actions.

The close-out letter does not constitute a legal final determination by the Department, and therefore, does not take the form of a plan modification. However, to address an issue of concern, the Department may follow up by proposing a unilateral plan modification or by initiating enforcement actions if significant violations occur.